denying themselves sufficent rest after confinement on account of their extreme poverty and perhaps a few annas earned daily by the women is the only source of income to prevent them and their children from starvation. I only ask for a benefit of three annas per day for these unfortunate women although the Madras Act provides 8 annas per day. I feel fully confident that the Hon'ble Members will view this question in a spirit of compassion and social justice and remedy the sad plight of the poor factory workers during the period of their confinement. I am sure that all the Hon'ble Members of this House have had occasion to realise in the sphere of their own personal experience the care and attention bestowed on expectant mothers both before and after confinement.

I may say that maternity benefit legislation is one of those measures which the Royal Commission on Labour who visited India six years ago recommended for adoption throughout the length and breadth of our country. Further, I may also add that the All India Women's Conference which met at Karachi passed a resolution stressing the urgent need for maternity benefit legislation throughout India.

Dr. A. R. Menon (*Pallippuram*).—I wish to support this motion. This is a very serious measure which ought to be got through.

Motion was put and carried.

Secretary to the Council.—The title of the Bill is "the Cochin Maternity Benefit Bill"

Mrs. D'Souza Williams (*Nominated*).—I move that the Bill be referred to a Select Committee consisting of the Government Advocate, the Director of Public Health and Panchayats, Mr. E. F. Norman, Mrs. Meenakshi N. Menon, Dr. A. R. Menon, Mr. T. S. Balarama Ayyar and the mover.

Motion was put and carried.

Mr. President.—The Government Advocate will be the Chairman and the Committee is to report within 2 months.

The Cochin Newspaper Act Repeal Bill.

Mr. E. Ikkanda Warriar (*Urakam*).—Mr. President, Sir, I move that the Cochin Newspaper Act Repeal Bill be read in council.

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Mr. C. R. Iyyunni *(Trichur South)*.—I second it.

Mr. E. Ikkanda Warriar *(Urakam)*.—With your leave, Sir, I wish to make a statement. The Cochin Newspaper Act was first introduced as an emergency measure in Kumbhom 1111 for six months under section 15 of the Legislative Council Act. A Bill containing the same provisions was subsequently introduced by the Government in the Meenam session of the Council which was thrown out by it. The Government has subsequently placed it permanently on the Statute Book under section 20 of the Legislative Council Act.

Thus, Sir, it is now nearly two years since this measure has been disfiguring the Statute Book. It is not necessary to dilate on the vital part that a free and responsible Press has to play in the administration of the land. It is no exaggeration to say that this despotic measure has tragic consequences. It has affected the outlook and policy of the executive. It has demoralised the Press. It has been misguiding the public. Sir, these are days when we are supposed to be moving steadily in the direction of responsible Government. One of the most indispensable things for the achievement of this object is the existence of an independent and responsible Press. It is quite likely that the Press may not be living up to the ideals, that it is failing to do the duties, expected of it. This may arise from a variety of causes. It may be from the apathy of the public; from the personal motives of interested parties. All the same, one of the most decisive factor is the attitude and policy of the Government. Where the Government is autocratic and personal the press is either submissive or cantankerous. It is not possible to distinguish between the policy of the Government and the attitude of the Press. Both are interconnected. If the Press has been very critical and unsympathetic it would be mainly because the Government has been dictatorial and tyrannical. It is only under such circumstances that there is generally a disastrous cleavage between the two. It is no use merely blaming the Press. The Government has to bear as much a share of it as the Press it tries to suppress.

Sir, the suppression of responsible public opinion may become a positive evil in certain conditions. There are three media for the expression of public opinion. They are the Press, the Platform and the Legislature. Now how does the other two agencies, the Platform and the Legislature function in the State? The use of the public platform was denied to the citizens of Trichur for some time. Although the root cause of that trouble in Trichur has happily been for the time being, may I

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hope, Sir, for all times, removed, the officious and annoying attitude adopted by the menions of law and order both towards the public and in public meetings, imperciptibly acts as a check upon the true freedom of speech. Their presence in absolutely forbidden places such as the Students' Literary Union meetings in the St. Thomas College, Trichur, the other day, the presence of the police and shorthand reporters in almost all the public meetings in the State, the prosecutions for sedition and security proceedings against political workers—all these and many others contribute to stifle the freedom of discussion we enjoyed till recently in the State. The right to meet and discuss, Sir, is one of the important and elementary rights of citizen-ship. But the people have been deprived of that. Then there is another safety valve for the expression of public opinion. That is the legislature. It is not necessary for me to dwell at great length on this. The story of the division lists in this House is more eloquent than words. It has been very easy to get any measure passed through the House, to get any vote of censure defeated in the Council, because of the very obliging and courteous attitude of the House towards the Government. The people know how the legislature has been functioning, how the majorities have been brought into existence, and how they are kept together.

Since these other organs of independent criticism are all rendered impotent, the need for a fearless and free Press is all the greater. Even if there was no free Press, if the other agencies like popular and responsible House, and an open platform have been existing in the State, then the suppression of opinion by the destruction of the Press would not have been so fatal.

Now, Sir, what is the result? Politics, like nature abhors a vacuum. The place that honest and independent cirticism ought to take in the State in the natural course of things has been taken by a servile Press, by cringing editors. It is not only the public that suffers by the spreading of false and distorted news, but the executive itself is the greatest loser. The Press served the function of a mirror in which the members of Government could find their own image reflected however opaque its character may be. But with the smashing of this feeble instrument, the members of government may be said to be living in a glass house where they find their own respectable and immaculate image reflected in all directions.

Sir, I do not propose to deal at length with the working of this abnoxious measure. The change of outlook that has been

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noticed over the Dailies published in Cochin is too well known. The amount of licence fees fixed by the Government to the papers serves as a good barometer to measure the extent to which those papers have agreed to sacrifice their individualities. A Daily paper which published a speech of an Hon'ble Member delivered in this House had to forfeit its security and stop its publication. It did not get any relief from the Highest Court in the land to which an appeal is provided under the Act because of the very limited powers given to that Court under the Act.

I know that there is one school of thought who think that some sort of control is necessary. The Bill of the Hon'ble Member for Vyttila is probably the result of such superstition. Our Penal Code can effectively deal with any violation of law. The fact that no newspaper in Cochin has yet survived any prosecution for sedition or publication of libellous matter clearly shows that the ordinary penal laws are sufficient to deal with any one who transgresses the law.

Sir, we are all supposed to be rapidly marching in the direction of responsible Government. But the one necessary guide in this journey has been removed abruptly in the middle. Sir, I would earnestly appeal to you to see that this serious handicap in the public is removed. If you want merely to be surrounded by people who praise and flatter you, well then, there is no need to repeal the measure. But if you are anxious to help in the process of establishing a healthy and independent organ of public opinion in the State, then the earlier this Act is removed the better for all concerned. As I said once before "An enslaved press is doubly fatal: it not only takes away the true light, for in that case we might stand still; but it sets up a false one that lures us to destruction."

മിസ്റ്റർ പി. സി. വക്കി (*Ernakulam North*).— സർ, ഞാൻ ഈ ബില്ലിനെ പിൻതാങ്ങുന്നു. പത്രങ്ങളുടെ സ്വാതന്ത്ര്യത്തിനു കുറവു വരുത്തുകയെന്ന വിധത്തിൽ, നിർമ്മിക്കപ്പെടുന്ന നിയമങ്ങളെ പ്രതിഷേധിക്കേണ്ടതു ജനകീയാദർശമുള്ള എല്ലാവരുടേയും കടമയാകുന്നു. പ്രസ്സ് ആക്ട് കൊച്ചിയിൽ നടപ്പാക്കാൻ ഗവൺമെണ്ടു ഉദ്യമിച്ച അവസരങ്ങളിലെല്ലാം അതിന്റെ ദോഷവശങ്ങളെപ്പറ്റി ഞാൻ ഈ സഭയിൽ പ്രസ്താവിച്ചിട്ടുണ്ട്. ഞാൻ ഈ റട്ടാക്കൽ ബില്ലിനെ അനുകൂലിക്കുന്നതു ഇതിന്റെ അവതാരകൻ (മിസ്റ്റർ ഇക്കണ്ടവാര്യർ) പറഞ്ഞിട്ടുള്ള അസംഗതങ്ങളും അവാസ്തവങ്ങളുമായ പല കാര്യങ്ങളോടും യോജിച്ചുകൊണ്ടല്ല. ഈ ബില്ലിനെ അനുകൂലിക്കണമെന്നുള്ള താല്പര്യത്തോടുകൂടി സഭയിൽ ഹാജരായ ഞാൻ ഒടുവിൽ ഇതിനെ അനുകൂലിക്ക

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ണോ പ്രതിക്രൂലിക്കണോ എന്ന സംശയിക്കത്തക്ക വിധത്തിൽ ഇരി ന്റെ അവതാരകൻ ഗവമ്മെണ്ടിന്റെമേൽ അനാവശ്യമായ ചില ചാ ർജ്ജുകൾ ചുമത്തിയതിൽ ഞാൻ വളരെ വ്യസനിക്കുകയും; അത്തരം പ്ര സ്താവനകളെയെല്ലാം ശക്തിയായി പ്രതിഷേധിക്കുകയും ചെയ്യുന്നു. (ഹീയർ, ഹീയർ.)

പ്രസ്സ് ആക്ട് റദ്ദ് ചെയ്യണമെന്ന അവതരിപ്പിക്കുന്ന ഏതു അവ താരകനോടും യോജിക്കാൻ ഞാൻ തയ്യാറാണ്. എന്നാൽ ആ തരം പിടിച്ചു് അവതാരകൻ പ്രസ്താവിച്ചതുപോലെ അനാവശ്യമായ പല പ്രസ്താവനകളും ഈ സഭയിൽ കൊണ്ടുവരികയും, ഗവമ്മെണ്ടിനെ സ്ഥാനത്തും അസ്ഥാനത്തും അധിക്ഷേപിക്കുകയും ചെയ്യുന്നതിനോട് എനിക്കു യോജിക്കുവാൻ നിവൃത്തിയില്ല. പ്രസ്സ് ആക്ട് ആവശ്യമില്ലെ ന്നു ഞാൻ പറയുന്നതിനുള്ള ഒരു കാരണം ഈ ബിൽ അവതരിപ്പിച്ചു കൊണ്ടു ചെയ്ത പ്രസംഗംതന്നെയാണ്. പ്രസ്സ് ആക്ട് ഇവിടെ നട പ്പാക്കിയതു ഗവമ്മെണ്ടിനു തോന്ന്യാസം പ്രവൃത്തിക്കാനാണെന്നു പറയു വാൻ ഇടവരുത്തിയതു ആ നിയമം ഇവിടെ ഉള്ളതുകൊണ്ടാണ്. ഞാ ൻ ലാമെമ്പറോട് ചോദിക്കുന്നു, കൊച്ചിയിലെ പത്രങ്ങളുടെ സ്വരം മിതമായതോ അമിതമായതോ എന്താണെന്ന്.

പ്രസ്സുകാർ വളരെ മര്യാദയായിട്ടാണു പത്രങ്ങൾ നടത്തിക്കൊണ്ടു പോകുന്നതു്. എന്നാൽ അതിനെപ്പറ്റി പുറമേയുള്ളവർക്കു ചില തെ റ്റിദ്ധാരണകളുണ്ട്. അതുകൊണ്ടാണു ഞാൻ ഇങ്ങിനെയൊരു ചോദ്യം ചോദിക്കുന്നതു്. കൊച്ചീരാജ്യത്തുള്ള പത്രങ്ങളെക്കുറിച്ചു ഒരാക്ഷേപം പുറമെ ഉണ്ടായിക്കാണുന്നതു്, പ്രസ്സ് ആക്ട് നിമിത്തം ഗവമ്മെണ്ടി ന്റെ ഭരണന്യൂനതകളെക്കുറിച്ചു പത്രങ്ങൾ ശരിയായ വിമർശനം ചെ യ്യുവാൻ ധൈര്യം അവലംബിക്കുന്നില്ലെന്നുള്ളതാണ്. അതു ഞങ്ങൾ ക്കു വളരെ അപമാനകരമായിട്ടുള്ള ഒരു സംഗതിയാണ്. വാസ്തവത്തി ൽ ഞങ്ങൾ വളരെ മര്യാദക്കാരായതുകൊണ്ടും ഗവമ്മെണ്ടിന്റെ പ്രവൃ ത്തികളെപ്പറ്റി കഠിനമായി അധിക്ഷേപിക്കുവാൻ യാതൊന്നുമില്ലാത്ത തുകൊണ്ടുമാണു ഞങ്ങളുടെ പത്രങ്ങളെല്ലാം മിതമായ സ്വരത്തിൽ നട ത്തിക്കൊണ്ടിരിക്കുന്നതു്. (ഹീയർ, ഹീയർ.)

എന്നാൽ നിർഭാഗ്യവശാൽ ഉണ്ടായിട്ടുള്ള ഈ പ്രസ്സ് ലാ കാര ണം, ഗവമ്മെണ്ടിന്റെ പിടിയിൽ കൊച്ചിയിലെ പത്രങ്ങളെല്ലാം ഇ രിക്കുന്നുവെന്നു മറുള്ളവർ തെറ്റിദ്ധരിക്കുന്നു. ആ കാരണംകൊണ്ടാ ണു പ്രസ്സ് ലാ മാറണമെന്നു ഞങ്ങൾ പറയുന്നതു്. വാസ്തവത്തിൽ ഗവമ്മെണ്ടിന്റെ പ്രവൃത്തികളെപ്പറ്റി ഞങ്ങൾ ക്രൂക്രൂടെ അധിക്ഷേ പിക്കാതിരിക്കുവാൻ കാരണം ഗവമ്മെണ്ടു മര്യാദയായി പ്രവൃത്തിക്കുന്നതാണ്. ഈ സംഗതി ശരിയാണെന്നു സ്ഥാപിക്കുവാൻ സാധിക്കാത്ത നിലയാണല്ലൊ ഈ നിയമം ഇവിടെ ഉണ്ടാക്കിയിരിക്കുന്നതെന്നോർത്തു ഞങ്ങൾ വളരെ വ്യസനിക്കുന്നു.

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ഏതായാലും ഫ്രഞ്ച-ലെ പ്രസ്സ് ആക്ട് റദ്ദ് ചെയ്യുന്നതു ഗവമ്മെണ്ടിനുതന്നെ വളരെ ഗുണകരമായിരിക്കുമെന്നുവേണം പറവാൻ. എന്താണെന്നുവെച്ചാൽ ഇപ്പോൾ ഞങ്ങൾ എന്തു പറഞ്ഞാലും, ഗവമ്മെണ്ടു നല്ല പ്രവൃത്തികൾ ചെയ്യുമ്പോൾ ശ്ലാഘിച്ചാലും, ഭരണകൃത്യങ്ങൾ നന്നായിരിക്കുന്നുവെന്നെല്ലാം പറഞ്ഞാലും, അതെല്ലാം ഈ പ്രസ്സുലായെ പേടിച്ചാണെന്നേ മാറുള്ളവർ പറയൂ. അതിനാൽ ഗവമ്മെണ്ടിന്റെ ഗുണത്തിനുവേണ്ടി ഈ റദ്ദാക്കൽ ബിൽ അംഗീകരിക്കപ്പെടണമെന്നാണു ഞാൻ വാദിക്കുന്നതു്. ഇപ്പോൾ പത്രങ്ങൾ വളരെ മിതമായ സ്വരത്തിൽ വിമർശനങ്ങൾ ചെയ്യുന്നുണ്ടെങ്കിൽ, ഇപ്പോഴത്തെ ഗവർമ്മെണ്ടു മര്യാദയായിട്ടും ന്യായമായിട്ടും പെരുമാറുന്നുവെന്നാണു അതിനർത്ഥമെന്നു ഞാൻ ഒരിക്കൽക്കൂടി പറയുന്നു. അങ്ങിനെയിരിക്കെ, ഇപ്പോൾ കേട്ടുമാതിരിയുള്ള അധിക്ഷേപങ്ങൾ ഉണ്ടാകുവാൻ തക്കവിധത്തിൽ കൊച്ചിരാജ്യത്തിലെ പത്രങ്ങളെ നിയന്ത്രിച്ചുകൊണ്ടിരിക്കരുതെന്നാണു ഞങ്ങളുടെ പ്രാർത്ഥന. (ഹിയർ, ഹിയർ.)

നാട്ടിൽ ഡമോക്രാറിക്കു ആദർശം വളർന്നുവരണമെങ്കിൽ പ്രസംഗസ്വാതന്ത്ര്യവും പത്രപ്രവർത്തനസ്വാതന്ത്ര്യവും ഉണ്ടായിരിക്കണം. കൊച്ചിയിലെ പരിഷ്കൃതമായ ഭരണത്തിൻകീഴിൽ ജനങ്ങൾക്കാർക്കും വേണ്ടാത്ത ഈ രാക്ഷസക്കുട്ടിയെ വെച്ചുകൊണ്ടിരിക്കരുതേ എന്നു ഞാൻ ഉൽബോധിപ്പിക്കുന്നു. ഞങ്ങളുടെ പ്രവൃത്തി — ഞങ്ങൾ ഗവർമ്മെണ്ടിനെ ശ്ലാഘിക്കുകയും, ഗവർമ്മെണ്ടിനോടു സഹകരിക്കുകയും ചെയ്യുന്നതു—ഈ പ്രസ്സ് ആക്ടിനെ പേടിച്ചാണെന്നു പറയുമ്പോൾ ഞങ്ങൾക്കു ലജ്ജതോന്നുന്നു. തിരുവിതാംക്കൂറിലേയും ബ്രിട്ടിഷിലേയും ചില പത്രങ്ങൾ പറയുന്നു, കൊച്ചിയിലെ പത്രപ്രവർത്തകന്മാർ പ്രസ്സ് ലായെ പേടിച്ചു കൊച്ചിഗവർമ്മെണ്ടിനെ ദണ്ഡനമസ്ക്കാരം ചെയ്യുന്നുവെന്നു! ഇപ്പോഴത്തെ ഗവർമ്മെണ്ടു ശരിയായി പ്രവൃത്തിക്കുന്നതുകൊണ്ടു ഞങ്ങൾ ഗവർമ്മേണ്ടിനെ കഠിനമായി ആക്ഷേപിക്കുന്നില്ല. അതിനുള്ള ഇട ഗവർമ്മെണ്ടു വരുത്തുന്നില്ല. അതിനാൽ ഗവർമ്മെണ്ടിനെ ചിലപ്പോഴൊക്കെ പ്രശംസിക്കേണ്ടിവരുന്നു. ഈ ആക്ടു് നടപ്പിലിരിക്കുന്നതു നിമിത്തം അങ്ങനെ ചെയ്യുന്നതുകൂടി ഞങ്ങൾക്കു അപമാനകരമായി പരിണമിക്കുന്നു. ഇതു് ഓർത്തിട്ടെങ്കിലും ഇപ്പോഴത്തെ നിയമത്തെ ഗവർമ്മെണ്ടു വെച്ചുകൊണ്ടിരിക്കരുതെന്നാണു എനിക്കു പറയുവാനുള്ളതു്.

മിസ്റ്റർ പ്രസിഡണ്ടു്.—തിരുവിതാംക്കൂറിലും ബ്രിട്ടീഷിലും കൂടി ഉണ്ടല്ലൊ ഇതുമാതിരി ബിൽ.

മിസ്റ്റർ പി. സി. വക്കി (*Ernakulam Town North*).—തിരുവിതാംക്കൂറിലും ബ്രിട്ടീഷിലും മൈസൂറിലും മറു പല രാജ്യങ്ങളിലുമുണ്ടു്. ഞാൻ പറയുന്നതു കൊച്ചി ആ രാജ്യങ്ങളെക്കാളെല്ലാം എത്രയോ ഉയർന്നിൽക്കുന്നുവെന്നാണു്. (ഹിയർ, ഹിയർ) കൊച്ചി ഗവർമ്മെണ്ടി

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നോട്ട ജനങ്ങൾക്കുള്ള വിശ്വാസവും; കൊച്ചിഗവർമ്മെണ്ടും ഇവിടത്തെ ജനങ്ങളുമായുള്ള സൌഹൃദമായ പെരുമാറ്റവും ആലോചിച്ചാൽ, മ റു രാജ്യങ്ങളെക്കാൾ വളരെ ഉൽകൃഷ്ടനിലയിലാണ് നാം ഇരിക്കുന്നതെന്ന സമ്മതിച്ചേ കഴിയൂ. നാം മറ്റുള്ളവർക്ക ദൃഷ്ടാന്തരൂപേണ അതു കാണിച്ചുകൊടുക്കണം. തിരുവിതാംകൂറിൽ ഇങ്ങിനെയൊരു നിയമമുണ്ടെന്നുവെച്ചു അതു കൊച്ചിയിലും വേണോ? ഞാൻ പറയുന്നു, ഇവിടത്തെ ഭരണമേധാവി ആയിരിക്കുന്ന ദിവാൻജി അവർകൾക്ക കൂടിയും ആക്ഷേപകരമാണ് ഈ നിയമം ഇവിടെ വെച്ചുകൊണ്ടിരിക്കുന്നതു് ന്ന്. പത്തുപതിനഞ്ചു കൊല്ലത്തോളം ജനകീയഭാഗത്തുനിന്ന ധീരധീരം പോരാടിയ ഒരു രാഷ്ട്രീയ പ്രവർത്തകനല്ലേ അദ്ദേഹം. അദ്ദേഹത്തിനു ഈ അനുദ്യോസ്ഥഭാഗത്തിൽ പങ്കുണ്ടായിരുന്നുവെങ്കിൽ, തീർച്ചയായും അദ്ദേഹം ലാ മെമ്പറവർകളുടെ പ്രസംഗത്തെ ഖണ്ഡിച്ചു പ്രസംഗിക്കുമായിരുന്നുവെന്നുള്ളതിനു സംശയമില്ല.

അതുകൊണ്ടു ഞാൻ പറയുന്നതു ഗവർമ്മെണ്ടിനു ആക്ഷേപത്തിനു ഇടവരുത്തുന്നതായ ഈ ബിൽ കഴിയുന്നതും വേഗത്തിൽ റദ്ദാക്കണമെന്നാണ്. പ്രസംഗസ്വാതന്ത്ര്യത്തേയും പത്രസ്വാതന്ത്ര്യത്തേയും പറ്റി പ്രസിദ്ധനായ ഒരു ഡമോക്രാറ്റിക്ക നേതാവു പറഞ്ഞിട്ടുള്ളതു്, "I may hate all what he says; yet I will fight for his right to say so" എന്നാണ്. കൊച്ചീരാജ്യത്തു മഞ്ഞപ്പത്രങ്ങളുടെ മേൽ ഈ കണ്ണുകോടാലി പ്രയോഗിക്കരുതെന്ന് അപേക്ഷിച്ചുകൊണ്ടും അവതാരകൻ ഗവർമ്മെണ്ടിനെപ്പറ്റി പറഞ്ഞ അനാവശ്യമായ പ്രസ്താവനകളെ ശക്തിയായി പ്രതിഷേധിച്ചുകൊണ്ടും ഞാൻ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നു.

Mr. K. S. Manickam *(Irinjalakkuda)*.—Mr. President, Sir, during the last time when this Bill came up for discussion in this House, I had fortunately or unfortunately, the honour of requesting that the Bill should be sent to a Select Committee for further consideration by that Committee. In this request I had also the privilege of the support of a few friends of mine. In making this request in the House we then accepted the principle underlying the Bill namely that a certain Regulation is highly necessary for the newspapers of the day in Cochin. I take this opportunity to remind Hon'ble Members of these discussions. Opinion was not divided on the fact that there are newspapers and newspapers in Cochin and even the vehementest of the opposers of this Bill had to admit that there were certain newspapers in Cochin State which went beyond all decency and which indulged in all sorts of personal criticism in their columns that it was highly necessary to control those papers. It was also thought that in order to raise the general standard of journalism prevalent in Cochin such a sort of provision was

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necessary. We accepted, Sir, on these grounds the principle of the Bill and by accepting that principle underlying the Bill marked at the same time our protest against certain provisions of the Bill. We requested that the Bill might be referred to a Select Committee. When that request was not accepted and the Bill was placed on the Statute Book we made a further attempt to bring in an amendment Bill which would take away from the Statute certain provisions to which great objections were taken. Along with the members of the opposite party we also thought that there were certain provisions in this Statute which outrage the fundamental principles of criminal justice and in order to remove those defects from the present Bill my friend Mr. Narayana Menon, the Hon'ble Member for Vyttila is seeking the leave of the House to day to introduce the Newspaper Act Amendment Bill which seeks to repeal those provisions to which objection was raised on the floor of the House and at the same time allowing a certain amount of control over the newspapers now being circulated. No further argument is necessary to indicate to the House and to bring home to the minds of the Hon'ble Members the fact that a certain amount of control is highly necessary than to remind you of what transpired a few minutes ago when the Hon'ble Member sponsored the repeal Bill. I ask in all seriousness and with due respect to the Hon'ble Member that if such an Hon'ble Member placed with legal qualification with intellectual development and cultural talents as he happens to be, makes on the floor of this responsible House allegations without basis, that the press obviously managed by men of less standard than himself, of less culture than himself, will not indulge in. The very fact that the Hon'ble Member is today imputing motives to an important section of this House, namely, that they are supporting every measure that is brought in this House on account of their overcourteous attitude towards the Government, that statement which is not based on any fact, which will not be substantiated by proceedings of this House, really indicates that there is something rotten here. There are people who without any basis and without caring to know what the facts are, go to the length of condemning others and criticising others, who for the mere fact that they possess more of grey matter in their brains or because they are more reasonable than others, support the Government for bills and measures introduced by them which in the opinion of those members are highly necessary. Sir, I take this opportunity of frankly confessing before this House that I have the honour to belong to a party consisting of members who are highly reasonable and who are not here in time and out of time to

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condemn and criticise the Government. We criticise the Government in such a manner that if according to our hopes our party is asked to shoulder the responsibility of carrying on the Government we will show that we carry it out in such a manner that our criticisms are accepted and acted upon. We do not criticise the Government in such a manner that we will not be able to translate into action the criticisms that we level to-day as members of opposition against the Government. Sir, history has taught us recently that people, who oppose the Government when they themselves take up the reins of Government find themselves unable to incorporate their criticisms into the scheme of practical politics, and translate them into action, and show how collossal a failure they themselves form to be as responsible administrators.

Mr. E. Ikkanda Warriar *(Urakam).*—Question. What is it that you are referring to please?

Mr. K. S. Manickam *(Irinjalakuda).*—If my Hon'ble friend is not able to understand what I am referring to, I am not going to help him.

Mr. C. R. Iyyunni *(Trichur South).*—There is no basis for what you say.

Mr. K. S. Manickam *(Irinjalakuda).*—Sir, coming to the subject again, the very fact that a member has raised allegations against an opposite party without any basis or even substantiating it, and having gone out of his way in order to raise his allegations clearly shows that certain newspapers which are managed by persons obviously not so cultured as he, not so educationally equipped as himself, requires control. An Hon'ble Member said that the newspapers in Cochin were doomed by the existence of such a provision as the one that exists to-day. The Hon'ble the supporter said that because there was the existence of such a provision in the Statute whatever they might say in the columns, was translated as the opinion born out of either favouritism or terror from the Government. What I beg to state is that this amendment which we have sought the leave of the House to introduce clearly saves from the present Statute all the penal provisions which are likely to create any terror in the minds of newspaper men. Our amendment contains provisions to the extent that *prima facie* Government cannot call upon any editor to furnish security. It is only when a newspaper transgresses or violates the provisions contained therein, can the Government call in that newspaper for depositing any amount for future good behaviour. Sir, the existence

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of such a provision in this amendment and the very fact that the other penal provisions are being taken out of the present amendment clearly shows that there can be no room for such terrors as has been explained by my Hon'ble friend, the Member for Ernakulam North. My only request is if the members of the opposite party are prepared to consider the repeal Bill along with our amendment Bill and to have a general consultation, then we have no objection to such a procedure being taken. But if they are going to insist upon this repeal bill we have no other go than to vote against it because our position will be if our amendment bill has to be brought at a later stage then there may be no Bill at all which we seek to amend. By virtue of the passing of the repeal Bill there will not be a Bill for which amendment can be brought. The procedure is that we will introduce our amending Bill and both the amendments—the amendment of the Hon'ble Member for Vyttila as well as the present amendment—may be considered together. Last time when this Bill was put up for consideration the leader of my party, the Hon'ble Member for Ernakulam South had an informal discussion with the mover of this Bill. He then said that he had no objection to take these two Bills together. That may be of no effect because that was only an informal discussion. My only request is that if both these bills can be considered together, the objections of both can be satisfied.

Mr. T. K. Nayar *(Pazhayannur).*—Is that amendment the result of that discussion?

Mr. K. S. Manickam *(Irinjalakuda).*—No. I will explain that. Though this is not technically the result of that informal discussion this bill has been drawn up in consultation with Mr. M. Sivarama Menon, the Hon'ble Member for Ernakulam South. The Hon'ble Member for Pazhayannur may be under a mistake that this bill was the one that was sought to be introduced on a prior occasion. That Bill has been completely changed. I have already made my request. If the party is going to consider our request, both the Bills may be considered together.

The House rose for lunch at 1—10 p. m. and re-assembled at 2-30 p. m. with the Deputy President (M. R. Ry., A. Sankara Menon Avl. B. A. & B. L.) in the Chair.

Mr. A. Narayana Menon *(Vyttila).*—Sir, my esteemed friend, the Hon'ble Member for Irinjalakuda referred to a Bill for which I am about to seek leave to introduce. That bill has been necssitated by some radical defects found in the present

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law of the land. The present law has been copied from the British Indian Act of 1910, which was repealed by an Act of 1931. Our law was enacted only after the repealing Act of 1931. I do not know what prompted the Government to copy a law which was repealed long ago by the British Indian Government. Probably, they thought that when they introduce a Press Law they must begin from the very first stage, from which the British Indian Legislature began; or were it to be copied they thought that it would be proper to copy the law that was in force in Travancore? In Travancore the law, in force is the British Indian law of 1910. They have not taken into account the change that has undergone to the law in British India. Why they stick to it, it is for people there to consider. So far as our State is concerned we cannot allow an absolute piece of legislation to occupy a place on our Statute Book. The two radical defects of the law that we have in our State can be easily stated. We begin with the presumption that a man who starts a paper would be guilty of sedition and other grievous offences and so we compel him to take out a license even before he starts the paper. According to ordinary law, innocence is presumed. Here, the presumption starts quite the other way. The second defect of the law is that it is given a permanent place in the Statute book. It is not proper for any Government to give any permanent place to any press law on the Statute book. The binding principle in these matters should be that, when there is necessity, introduce an emergency legislation and that when the emergency is over get rid of it. That is what has been done by the Act of 1931 in British India. It is to cure both these defects that I am seeking leave to introduce my bill. My bill goes even beyond the Act of 1931, because in the Act of 1931 there is scope for some executive interference. The District Magistrate in some cases can ask for security to be given before the grant of registration; the security is to last for 3 months from the date of the starting of the paper and then to become inoperative for all purposes. I do not now want even that. I say when a paper is started, no license fee should be demanded and that before we demand a license fee, we must make it a condition that a person who is asked to take out a license should have the option of asking the Government to justify the demand of the license by the verdict of the highest court in the land. That is a very wide departure from the Act of 1931. That being the case, I think that the law if amended on the lines that I seek in my bill will more than satisfy our present requirements. By this, it should not be taken to mean that I am for any Press Law in the land. I want a free press.

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But a suggestion was thrown out from the Government side, when the Press bill was introduced in this House in Meenam 1111. They said, "Do not reject the Bill. Amend it if there are any defects" It is up to us to take up this challange and to get rid of all obnoxious provisions in the Act. It is with that object that my amending bill is prepared. I am going to be quite plain about it. The Government has thrown at us and we should take it up. I am one who believes in the ultimate consequences of one's actions. From the pronouncements that have been made from the Treasury benches, one can be sure, that if we pass a bill of repeal it is as sure as anything going to be vetoed; then what is the result? You will be allowing the continuity of the presents obnoxious law in the land.

Mr. P. Govinda Menon *(Adur).*—Then your amendment can be moved.

Mr. A. Narayana Menon *(Vyttila).*—When this bill is passed by this House no amending bill can be introduced till the fate of the former is known and you will be placing the press in the land in an awkward and difficult situation. It is to avoid that, that I seek to have the law amended. You will please note that in one of the sections in the bill that I seek to introduce I say that the law is to be in force only for a small period.

Mr. P. Govinda Menon *(Adur).*—What is the period?

Mr. A. Narayana Menon *(Vyttila).*—One year to begin with, or if the Government decides to extend it, to a maximum period of 3 years. The 1931 Act repealed the Act of 1910. The Act of 1931 was drafted by a Committee of which one of the members was Sir Harisingh Gour. The provision in that Act for executive interference was resented by Sir Harisingh Gour. I have got rid of this defect in the bill that I seek leave of the House to introduce. What I submit to this House is that since there is more or less the certainty that the bill of the Hon'ble Member for Urakam will be vetoed, let us be cautious in our actions.

Mr. P. Govinda Menon *(Adur).*—And what about your amendment?

Mr. A. Narayana Menon *(Vyttila).*—Since there is the certainty of a veto to a repealing bill, let us ask gratefully and show to the Treasury benches that we can amend the law in such a way that it cannot do any harm to the press in the land.

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What I submit is that since leave has not as yet been granted to my bill and sanction has yet to be sought and since according to the Legislative Council Rules I can introduce the bill only in the next session, let us not discuss the Repealing bill now. So, I beg to move that the further discussion of this bill be put off to the next session of the Legislative Council.

Mr. K. S. Manickam *(Irinjalakuda)*.—I second it.

Motion that the further discussion of the Bill be put off to the next session of the Legislative Council was put and agreed to:

Mr. P. Kumaran Ezhuthassan *(Wadakkancheri)*.—Poll, Sir.

POLL.

Ayes.	Noes.
Mr. K. Achyuta Menon.	Mr. K. Ayyappan.
,, V. K. Achutha Menon	,, A. Eachara Menon.
,, V. K. Aravindaksha Menon.	,, P. Govinda Menon.
,, M. V. Cherian	,, K. M. Ibrahim
,, A. L. Devassy.	,, E. Ikkanda Warriar.
,, P. J. George.	,, C. R. Iyyunni
,, George Parakkal	,, V. K. Kutty
,, K. P. Kannan Nayar.	,, T. K. Nayar.
,, K. Krishna Warriar.	,, V. K. Krishnankutty
,, V. S. Krishnan Vaidyar	,, K. M. Kunhi Moideen.
,, K. Kunhirama Menon	,, P. Kumaran Ezhuthasan.
,, K. S. Manickam	,, K. S. Panickar
,, A. Narayana Menon	Dr. A. R. Menon
,, I. N. Menon	Mr. A. V. Moothedan
,, K. Narayana Menon.	
,, Mrs. Meenakshi N. Menon	
,, T. Narayana Menon.	
Rama Varmha Tampuran.	
Dr. A. R. Poduval,	
Dr. D. Raghavendra Rao.	
Mr. M. A. Sankunny	
,, A. Sivarama Menon.	
Mrs. G. M. D'Souza Williams.	
,, Mr. Thomas Manjuran.	
,, P. C. Varkey.	

Neutral.

Mr. K. Ashtamoorthy Namburipad.

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